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Regind D. McKinney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

D'Azzo et al.

Art Unit: 1652

Serial No. 09/966,893

Examiner: Christian I. Fronda

Filed: September 28, 2001

Atty Docket: SJ-01-0020

For: Targeting Proteins to Cells

Expressing Mannose Receptors Via:

Expression in Insect Cells

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated July 1, 2003 in which claims 8-13 were finally rejected.

The Commissioner is authorized to charge the \$160.00 Small Entity fee for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 CFR §1.17(b)) to Deposit Account No. 501968.

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In the event that extensions of time under 37 CFR §1.136 other than those provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 501968. A duplicate copy of this Notice is attached.

Respectfully submitted,

James Scott Elmer

Attorney for Applicants Registration No. 36,129

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Date: September 5, 2003